



**BOARD OF CANYON COUNTY COMMISSIONERS**  
**FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

In the matter of the application of:

**CU2023-0024-APL**

The Board of Canyon County Commissioners considers the following:

- 1) Case No. CU2023-0024-APL: The appellant, Dave Erlebach of Erlebach Properties, LP, represented by Todd Lakey and Landon Brown, appeals the decision by the Planning and Zoning Commission to deny the request for a conditional use permit to allow a Contractor Shop and Staging Area within the "A" (Agricultural) zoning district. The subject property is also referenced as Parcel R37905, a portion of the northeast quarter of Section 20, T5N, R3W, BM, Canyon County, Idaho.

**Summary of the Record**

1. The record is comprised of the following:
  - A. The record includes all testimony, the staff report, exhibits, and documents in Case File CU2023-0024 and CU2023-0024-APL.
    - a. Notice of the public hearing for CU2023-0024 was provided pursuant to CCZO §07-05-01, Idaho Code §67-6509 and 67-6512. Agencies were notified 07-31-24, 08-02-24 and 01-21-25, Property Owners were notified 01-21-25, the site was posted 01-21-25, and newspaper publication was on 01-21-25.
  - B. The Planning and Zoning Commission heard Case No. CU2023-0024 on February 20, 2025 and denied the request for a conditional use permit (CUP) for a contractor shop and staging area. The Findings of Fact, Conclusions of Law, and Order (FCOs) were signed March 6, 2025.
  - C. The appellant, Dave Erlebach of Erlebach Properties, filed an appeal of the Planning and Zoning Commission decision denying the CUP on March 20, 2025, in accordance with CCZO §07-05-05.
  - D. Notice of the public hearing for CU2024-0023-APL was provided pursuant to CCZO §07-05-01, Idaho Code §67-6509 and 67-6512. Agencies were notified 06-18-25, Property Owners were notified 06-18-25, the site was posted 06-23-25, and newspaper publication was on 06-23-25. The two (2) continued hearing dates (July 28, 2025 and August 6, 2025) were posted on Canyon County's Land Use Hearing website.
  - E. The Board of County Commissioners conducted a public hearing on July 23, 2025, which included taking oral testimony, closing public testimony and began deliberation. The Board ultimately continued the hearing to July 28, 2025, and then to August 6, 2025.
  - F. At the August 6, 2025 hearing, the Board unanimously upheld the decision of the Planning and Zoning Commission.

## Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), Canyon County Code §07-07 (Conditional Use Permits), Canyon County Code §07-02-03 (Definitions), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), Canyon County Code §07-14 (Use Standards), and Idaho Code §67-6512 (Special Use Permits, Conditions, and Procedures).
2. A special use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, including school districts, to provide services for the proposed use, and when it is not in conflict with the plan. *See* Idaho Code §67-6512.
3. Every use which requires the granting of a conditional use permit is declared to possess characteristics which require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity. *See* CCZO §07-07-01.
4. Upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those: (1) Minimizing adverse impact on other development; (2) Controlling the sequence and timing of development; (3) Controlling the duration of development; (4) Assuring that development is maintained properly; (5) Designating the exact location and nature of development; (6) Requiring the provision for on-site or off-site public facilities or services; (7) Requiring more restrictive standards than those generally required in an ordinance; (8) Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction. *See* Idaho Code §67-6512, CCZO §07-07-17, and 07-07-19.
5. Use Standards – Contractor’s Shop: The use shall be contained within a building or behind a sight obscuring fence. *See* CCZO §07-14-09.
6. Use Standards – Staging Area: (1) All work shall be conducted off site. (2) Business vehicles shall be operable and parked on site, not on a public or private road. (3) Persons not employed on the premises may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles. (4) Employees may meet on the premises to share rides to and from job sites. (5) Employees' vehicles shall be parked on site and not on a public or private road. *See* CCZO §07-14-29.
7. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. *See* CCZO §07-05-03.
8. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.
9. The County’s hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. *See* CCZO 07-05-03(1)(I).

**The application CU2023-0024-APL was presented at a public hearing before the Canyon County Board of Commissioners. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the proposed conditions of approval and project plans, the Board of Canyon County Commissioners makes the following determinations.**

### **CONDITIONAL USE PERMIT HEARING CRITERIA – CCZO §07-07-05**

#### **1. Is the proposed use permitted in the zone by conditional use permit?**

**Findings:** (1) The subject property, Parcel R37905, containing approximately 39.49 acres is zoned “A” (Agricultural).

- (2) The proposed use consists of a contractor shop and staging area for a construction business in the "A" (Agricultural) zone.
- (3) Contractor shop is defined as "May include, but not be limited to, a building where a contractor conducts his business, including offices and parking of equipment and employee parking," and a staging area is defined as "An area where equipment and/or materials are stored for use conducted entirely off site." See CCZO §07-02-03.
- (4) CCZO §07-10-27 Land Use Regulations (Matrix) provides for a Contractor Shop and Staging Area by conditional use permit in the agricultural zone.

**Conclusion:** The proposed uses are permitted in the "A" (Agricultural) zone by conditional use permit.

## 2. What is the nature of the request?

The Applicant is requesting a conditional use permit for a contractor shop and staging area for a construction business in the "A" (Agricultural) zone. Per the letter of intent, the proposed uses include an office to deploy equipment to construction locations and storage of multi-use equipment (tractors, dump trucks, trailers, and pilers) and supplies on the property that are used in support of the property owner's construction business off site on approximately 11-acres of the approximately 39 acres (**Staff Report Exhibit 3.A2**). The contractor shop will consist of two (2) structures: one (1) 115' x 100' structure that will be used as an office to deploy equipment (this structure has not been constructed yet) and one (1) 110' x 208' structure that will be used to store and park equipment (**Staff Report Exhibit 3.A2**). The property owner applied for an agricultural-exempt building permit for the already constructed structure, but did not complete a final inspection, so the agricultural-exempt building permit expired (ZC2023-0003) (**Staff Report Exhibit 3.D4**).

At the July 23, 2025 hearing, neighboring property owners testified that the existing 110' x 208' structure appeared to be used for metal fabrication. The applicant has not allowed the structure to be inspected by a Canyon County Building Inspector to validate the existing use of the structure. Metal fabrication would not be an allowed use in the existing zoning designation or if the application was granted. See CCZO §07-10-27 Land Use Regulations (Matrix).

## 3. Is the proposed use consistent with the comprehensive plan?

**Findings:** (1) The 2030 Canyon County Comprehensive Plan designates the subject parcel as Agricultural. The parcel is not located within a City Impact Area (**Staff Report Exhibits 3.B1 and 3.B2.4**).

- (2) The proposed use is consistent with multiple goals and policies of the 2030 Canyon County Comprehensive Plan including but not limited to:
  - i. Property Rights Goals and Policies: *Goal No. 1: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare." Policy No. 1: "No person shall be deprived of private property without due process of law." Policy No. 3: "Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals." Goal No. 2: "Acknowledge the responsibilities of each applicant as a steward of the land, use their property wisely, maintain it in good condition and preserve it for future generations without becoming a public nuisance."*
  - ii. Population Component Goal: *Goal No. 2: "Promote housing, business, and service types needed to meet the demand of the future and existing population."*
  - iii. Economic Development Goals and Policy: *Goal No. 1: "Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations." Policy No. 2: "Support suitable sites for economic growth and expansion compatible with the surrounding area." Goal No. 5: "Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability."*
  - iv. Land Use Policy and Goals: *Policy No. 2: "Consider site capability and characteristics when determining the appropriate locations and intensities of*

*various land uses. Goal No. 3: "Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning." Goal No. 4: "Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility." Goal No. 6: "Development design should improve the area's character and be compatible with the community's visual appearance and the natural environment."*

- v. Agriculture Goal: Goal No. 4: *"Minimize conflicts between agricultural uses and operations and adjacent non-agricultural uses."*

**Conclusion:** The Board of Canyon County Commissioners finds that the proposed use and conditional use permit application for a contractor shop and staging area is consistent with the 2030 Canyon County Comprehensive Plan based on the Plan's designation and enumerated Plan policies and goals detailed above.

**4. Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?**

- Findings:** (1) In determining the character of the area, the Board reviewed the information provided regarding the historic and current land uses in the vicinity of the subject property. The area has substantial ongoing and historic agricultural uses; although in the last five (5) years, the area has seen an increase in residential development. There are ten (10) subdivisions located within 1-mile of the subject property and one (1) subdivision in the platting phase. There are 105 lots located within the platted subdivisions and 136 lots located within subdivisions that are in the platting phase. (Staff Report Exhibit 3.B2.7). Some of the zoned agricultural parcels also have residential uses. (Staff Report Exhibits 3.B2.2, 3.B2.5, 3.B2.6, and 3.B2.7). The Board views the area as retaining its agricultural character; however, cannot dismiss the residential trend.
- (2) Neighboring residential users testified that dust, sound, and light from the proposed use would harm residential uses in the area. Neighbors also expressed concern that a contractor's shop and staging area would change the character of the area by bringing commercial activity to the area.
- (3) A contractor shop and staging area for a construction business in the "A" (Agricultural) zone is permitted by conditional use permit. The permit allows the Board to condition the use to minimize adverse impacts on other uses and to limit abrupt changes to the character of the area. The CUP requirement for the proposed uses is an acknowledgement of what the Board sees in the application: that the proposed use will bring some adverse impacts to residential users (namely, dust, sound, and light impacts) and that if unmitigated the proposed use could negatively change the area (in the same way that any business being operated near residential uses would).

**Conclusion:** The Board finds that the proposed use would be injurious to other property in the immediate vicinity and would negatively change the character of the area without appropriate mitigation.

**5. Will adequate water, sewer, irrigation, drainage and stormwater drainage facilities, and utility systems be provided to accommodate the use?**

**(1) Water**

Per the provided letter of intent, the property owner plans to construct a domestic well on the 11-acre site for the contractor shop and staging area and the specific location of the well is identified on the grading and drainage plan. The property owner also plans to construct a pump house next to or over the proposed well and the well and piping will be piped to the

bathrooms and breakrooms in the structures designed by Manning Civil (**Staff Report Exhibits 3.A2 and 3.A2.1**).

(2) **Sewer**

Per the applicant's letter of intent, sewer and drainage from the bathroom and breakrooms will be discharged into a septic tank/pump system where sewage will be piped to the proposed drain field. The location of the drain field is identified in the Site Plan and Grading and Drainage Plan. A designated replacement field will also have to be contained on the property. The sewer plan has yet to be approved by Southwest District Health (**Staff Report Exhibits 3.A2, 3.A2.1, and 3.A2.2**).

On August 5, 2024, Southwest District Health (SWDH) stated that a Nutrient Pathogen Study was completed, but were waiting on the results of the study. Additionally, SWDH states "Test holes were conducted on 04/28/2023 and 05/12/2023. Groundwater monitoring pipes were also installed with monitoring started on 05/01/2023 through 06/19/2023. Last email correspondence received from a developer was a change in facility type and operations for a construction shop and metal building. Applicant will need to reach out to SWDH to discuss the new proposal" (**Staff Report Exhibit 3.D1**). A nutrient pathogen study was not provided at the time of the Board of Canyon County Commissioner's public hearing nor was there an indication that the Applicant had discussed the current proposed use with SWDH.

(3) **Irrigation**

Per the applicant's letter of intent, the proposed 11-acre area for the contractor shop and staging area will not be irrigated. However, the remaining acreage will continue to be irrigated using the pivot sprinkler system on site (**Staff Report Exhibit 3.A2**). Parcel R37905 is under the jurisdiction of Black Canyon Irrigation District (BCID). Black Canyon Irrigation District states in their comment letter dated January 9, 2025 that the property has irrigation water rights and this conditional use permit "...impacts water allocations for the proposed properties. Determination of non-irrigable lands and allocations or irrigable lands will be required by the District. [BCID]... request[s] the property owner finalize these allocations prior to County approval of [the Conditional Use permit] of the property" (**Staff Report Exhibit 3.D5**). The Board was not provided an approval from BCID. The proposal has only addressed drainage on the 11-acre contractor shop and building site and not addressed the remainder of the parcel.

(4) **Drainage and Stormwater Drainage Facilities**

Per the land use matrix and letter of intent, stormwater is to be retained on site by two (2) swales (**Staff Report Exhibits 3.A2 and 3.A3**). The location of the swales is identified in the Grading and Drainage Plan and the 11-acres consists of a graveled surface and will be graded and contoured to direct storm water per the letter of intent (**Staff Report Exhibits 3.A2 and 3.A2.2**). Additionally, the letter of intent states the collection swales are large enough to accommodate asphalt surfacing in the event the applicant decides to pave the 11-acre staging area and contractor shop (**Staff Report Exhibit 3.A2**). The grading and drainage plan provided by the appellant only considers the 11-acre area proposed for the contractor shop and staging area and does not take into consideration the entirety of the subject property and parcels affected in the area. (**Staff Report Exhibit 3.A2**).

(5) **Utilities**

Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply were notified of the application. No agency comments were provided by those services at the time the staff report was written. It is anticipated that the applicant will be able to work with utility providers to gain any utilities needed.

**Conclusion:** The applicant's proposal on water is sufficient to demonstrate adequate services. However, there is incomplete approvals and information for sewer, irrigation and stormwater drainage. Specifically, the nutrient pathogen study will need to be completed and SWDH should indicate that the sewer plan is sufficient before the Board can reach an affirmative finding about the adequacy of the sewer proposal. The applicant has not met his burden here.

Additionally, the applicant's irrigation, drainage and stormwater drainage plans are limited to the 11-acre area where the contractor shop and staging area are planned. If the applicant proceeds with the CUP for the entire parcel the applicant's irrigation, drainage and stormwater should reflect plans and approvals for the entire parcel. The Board cannot reach an affirmative finding about the adequacy of the irrigation, drainage and stormwater facilities without this information. The applicant has not met his burden here.

The Board is satisfied that other utilities are adequate as the relevant utilities have been provided the opportunity to comment on the proposal and have raised no objection.

For these reasons, the Board cannot make an affirmative finding here regarding the adequacy of irrigation, drainage and stormwater facilities for the property.

**6. Does legal access to the subject property for the development exist or will it exist at the time of development?**

- Findings:** (1) Per the applicant's letter of intent, a 115' x 100' structure is proposed for an office and to deploy equipment. If this structure is built as proposed, and the access is taken on the northern access on the property, there will be three (3) inhabited structures off the private access, meaning that this access will need to be brought up to Canyon County's private road requirements found in CCZO §07-10-03 (**Staff Report Exhibit 3.A2**).
- (2) Per Highway District No. 4, "...access for the current agricultural uses has been via a private [access] along the north boundary of the subject property extending west from Farmway Rd. This access, which aligns with Goodson Rd to the east, is suitable for the proposed use subject to the improvements described..." (**Staff Report Exhibit 3.D1**).
- (3) At the time of the public hearing, the applicant had not secured all the access easements from the neighbors along the northern boundary of the property to demonstrate a permanent legal access (**Staff Report Exhibit 7aii**).
- (4) The applicant also provided a site plan showing the proposed access road on the southern boundary with an approved approach permit from Highway District No. 4 for the southern boundary access. The southern access they proposed would be through two (2) parcels the applicant owns. The applicant did not provide a demonstration of how the southern access would be held permanently if the other parcels on the southern access changed ownership. (**Staff Report Exhibit 7aii and 7aiii**).

**Conclusion:** The Board of Canyon County Commissioners finds that permanent legal access to the subject property has not been demonstrated because the northern access will require an easement from adjacent properties and the southern access will need a demonstration of how the access would be maintained in perpetuity.

**7. Will there be undue interference with existing or future traffic patterns?**

- (1) Per the letter of intent, the main ingress and egress will be on Goodson and Farmway Roads and when the traffic departs the property, it is anticipated the vehicles will use Old Highway 30 and then merge onto I-84. Additionally, the letter of intent estimates traffic count to and

from the Contractor Shop and Staging Area will be around 10 trips per day (**Staff Report Exhibit 3.A2**).

- (2) Highway District No. 4 says regarding the traffic count: "The estimated peak hour trips from the development are not anticipated to materially impact the adjacent intersection of Goodson Rd and Farmway Rd due its very low background volume. The intersection of Goodson Rd and Old Hwy 30 is anticipated to operate at LOS B (approximately 16 sec delay per vehicle) during the PM peak hour under current background conditions with the additional site traffic. Additional incremental delay from the new trips generated by the development are expected at all intersections along the Old Hwy 30 corridor, including Galloway, Purple Sage, Willis, and SH 44." It appears any impacts to traffic would be mitigated by "...transportation impact fees to fund improvements to the highway system made necessary from new growth and development within the Mid-Star Service Area, which includes the subject property (**Staff Report Exhibit 3.D3**).
- (3) Idaho Transportation Department stated they have "...no comments or concerns at this time as the development is a significant distance from any interchanges granting access to I-84, therefore minor impact can be anticipated" (**Staff Report Exhibit 3.D2**).

**Conclusion:** Based on the information provided by Highway District No. 4 and the Idaho Transportation Department, the Board finds that the proposed use will not cause undue interference with the existing and future traffic patterns.

8. **Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?**

**Findings:**

- (1) Parcel R37905 is serviced by Middleton School District. No agency comments were received at the time the staff report was written.
- (2) Parcel R37905 is under the jurisdiction of Canyon County Sheriff's Office. No agency comments were received at the time the staff report was written.
- (3) Parcel R37905 is under the jurisdiction of Middleton Rural Fire District. No agency comments were received at the time the staff report was written.
- (4) Emergency Medical Services are provided by Canyon County Ambulance District. No agency comments were received at the time the staff report was written.
- (5) Parcel R37905 is under Black Canyon Irrigation District's (BCID) jurisdiction. See CCZO 07-07-05(5) and **Staff Report Exhibit 3.D5** for information related to BCID's comments on this conditional use permit.

**Conclusion:** Essential services are available to the parcel including, but not limited to school facilities, police and fire protection, emergency medical services, and irrigation facilities. The service providers were notified and did not indicate any concerns. For that reason, the Board finds that services will not be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use.

#### **USE STANDARDS – CONTRACTOR SHOP CCZO 07-14-09(1)**

1. **The use shall be contained within a building or behind a sight obscuring fence.**

**Findings:**

- (1) Per the applicant's letter of intent, the proposed 115' x 100' structure is proposed for an office and to deploy equipment (**Staff Report Exhibit 3.A2**). Additionally, there is a site-obscuring chain link fence placed around the 11-acre area proposed for the contractor shop and staging area upon staff's site visit in December of 2024 (**Staff Report Exhibit 3.C**).

**Conclusion:** The Board finds that the applicant's proposal met this requirement.

**USE STANDARDS – STAGING AREA CCZO 07-14-29(1)**

**1. All work shall be conducted off site.**

**Findings:** (1) Per the letter of intent, the proposed uses include an office to deploy equipment to construction locations and storage of multi-use equipment (tractors, dump trucks, trailers, and pilers) and supplies on the property that are used in support of the property owner's construction business off site on approximately 11-acres of the approximately 39 acres (**Staff Report Exhibit 3.A2**).

(2) The work (deploying equipment and doing office work) on site is done within the proposed 115' x 100' structure and falls under the contractor shop portion of the application.

(3) At the July 23, 2025 hearing neighboring property owners testified that the existing 110' x 208' structure appeared to be being used for metal fabrication. The applicant has not allowed the structure to be inspected by a Canyon County Building Inspector to validate the existing use of the structure. Metal fabrication would not be an allowed use in the existing zoning designation or if the application was granted. *See CCZO §07-10-27.*

**Conclusion:** The Board finds that the applicant's proposal met this requirement although if fabrication work is being conducted on site it would be a violation of this use standard.

**2. Business vehicles shall be operable and parked on site, not on a public or private road.**

**Findings:** (1) Per the letter of intent and site plan, business parking will be on site and behind a fence on the 11-acre area proposed for the contractor shop and staging area (**Staff Report Exhibits 3.A2, 3.A2.1, and 3.A3**). The letter of intent states the vehicles will remain operable on site (**Staff Report Exhibit 3.A2**).

**Conclusion:** The Board finds that the applicant's proposal met this requirement.

**3. Persons not employed on the premises may visit the premises for the purpose of picking up equipment trucks offloading or transferring equipment and/or materials to other vehicles.**

**Findings:** (1) Per the letter of intent and land use worksheet, there will be between 10-15 employees that will visit the site to pick up, offload and transfer equipment (such as the multi-use equipment found in **Staff Report Exhibit 3.A2.4**) and supplies in support of the property owner's construction business (**Staff Report Exhibits 3.A2 and 3.A3**). As proposed, the staging area would not operate as open to the public and persons not employed on the premises may visit the subject property for the purpose of picking up equipment trucks, offloading, or transferring equipment and/or materials to other vehicles.

**Conclusion:** The Board finds that the applicant's proposal met this requirement.

**4. Employees may meet on the premises to share rides to and from job sites.**

**Findings:** (1) Per the letter of intent, there will be between 10-15 employees that will park their personal/commercial vehicles on the property in a parking area located on-site with the purposes of meeting on the premises to share rides to and from job sites (**Staff Report Exhibit 3.A2**).

**Conclusion:** The Board finds that the applicant's proposal met this requirement.

**5. Employees' vehicles shall be parked on site and not on a public or private road.**



**Findings:** (1) Per the letter of intent, no parking will occur on Goodson Road or Farmway Road (**Staff Report Exhibit 3.A2**).

**Conclusion:** The Board finds that the applicant's proposal met this requirement.

### Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of Canyon County Commissioners **denies** Case #CU2023-0024-APL a conditional use permit for a staging area and contractor shop in the "A" (Agricultural) zone on Parcel R37905.

Under Idaho Code Section 67-6519, the following actions may be taken to obtain approval:

1. Accept the conditions proposed by Canyon County Development Services Department in **Staff Report Exhibit 3, page 41**.
2. Bring the unpermitted structure into compliance with Canyon County Building and Zoning Code, including inspection by Canyon County's Building Official's (or their designee), to verify structure is not being used for fabrication or manufacturing.
3. Prepare a legal description of the 11-acre section where the staging area and contractor shop is proposed to be located so it can be used as a recorded building envelope or amend the previous administrative land division (AD2022-0134) to limit conditions to a 11-acre parcel.
4. Update drainage plan to include the entirety of the subject property and all parcels affected by the proposed application and, if necessary, provide plans for adequate drainage facilities
5. Demonstrate permanent legal access to the 11-acre section with highway district approval and recorded easements.

**APPEAL DENIED** this 7<sup>th</sup> day of October, 2025.

**BOARD OF COUNTY COMMISSIONERS  
CANYON COUNTY,**

Yes	No	Did Not Vote
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Brad Holton  
Commissioner Brad Holton

X

Zach Brooks  
Commissioner Zach Brooks

X

Leslie Van Beek  
Commissioner Leslie Van Beek

✓

Attest: Rick Hogaboam, Clerk

By: J Ross  
Deputy

Date: 10.07.25

